

FORMAT FOR WAIVER OF INDICTMENT AND ACCEPTANCE OF GUILTY PLEA
(RULE 11)(J.Carter 4/2001)

1. YOU ARE _____, THE DEFENDANT NAMED IN
THIS INDICTMENT?
2. DO YOU AUTHORIZE _____ **[name of attorney]**
TO SPEAK AND ACT ON YOUR BEHALF THROUGHOUT THIS PROCEEDING?
3. THE COURT UNDERSTANDS THAT YOU WISH TO WAIVE YOUR RIGHT OF
INDICTMENT BY A GRAND JURY OF THIS DISTRICT AS TO THE
OFFENSES TO BE CHARGED AGAINST YOU IN [COUNTS ____ AND ____]
OF THE PROPOSED INFORMATION TO BE FILED HEREIN. IS THAT
CORRECT?
4. MR./MS., **[attorney]** _____, DO YOU APPROVE OF
THIS DEFENDANT'S WAIVER OF INDICTMENT AND RECOMMEND ITS
ACCEPTANCE BY THE COURT?
5. IN THE FURTHER COURSE OF THIS INQUIRY I WANT YOU TO
UNDERSTAND TWO PROPOSITIONS THROUGHOUT:
 - (a) IF AT ANY TIME YOU DO NOT UNDERSTAND ANY QUESTION I ASK
YOU, DO NOT TRY TO ANSWER IT. TELL ME YOU DO NOT
UNDERSTAND THE QUESTION.
 - (b) IF AT ANY TIME YOU WISH TO CONFER WITH YOUR COUNSEL
BEFORE ANSWERING A QUESTION, DON'T TRY TO ANSWER THE
QUESTION -- TELL ME YOU WISH TO CONFER.
6. WHAT IS YOUR AGE?

7. WHAT IS THE EXTENT OF YOUR FORMAL EDUCATION?
8. ARE YOU NOW, OR HAVE YOU RECENTLY BEEN, UNDER THE CARE OF ANY PHYSICIAN OR PSYCHIATRIST?
9. ARE YOU PRESENTLY TAKING ANY MEDICATION?
10. HAVE YOU USED ANY DRUG OR ALCOHOL IN THE LAST 24 HOURS?
11. HAS YOUR COUNSEL EXPLAINED TO YOU THE CONSEQUENCES THAT MAY FLOW FROM THESE PROCEEDINGS?
12. [**Inquiry of Counsel**] DO YOU KNOW OF ANY REASON TO DOUBT THE COMPETENCE OF THIS DEFENDANT TO WAIVE HIS RIGHT OF INDICTMENT?

FINDING: THE COURT FINDS THAT THIS DEFENDANT IS COMPETENT
TO WAIVE INDICTMENT IN THIS MATTER.

13. YOU ARE TO BE CHARGED IN A ____-COUNT INFORMATION. DO YOU UNDERSTAND THAT THE CHARGE[S] TO BE MADE IS[ARE] AS FOLLOWS:
[**Detail charges.**]

14. DO YOU UNDERSTAND THAT THE CHARGE[S] TO BE MADE AGAINST YOU
IN THE PROPOSED INFORMATION IS[ARE] A FELONY OFFENSE[S]?
15. DO YOU UNDERSTAND THAT:
- a) YOU HAVE A CONSTITUTIONAL RIGHT TO REQUIRE THAT THIS
MATTER PROCEED ONLY UPON AN INDICTMENT OF A GRAND JURY
OF THIS DISTRICT?
 - b) YOU CAN GIVE UP THAT RIGHT IF YOU WISH TO?
 - c) IF YOU DO GIVE UP THAT RIGHT, THIS MATTER WILL PROCEED
AGAINST YOU WITHOUT ANY CONSIDERATION OF THE MATTER BY
A GRAND JURY?
 - d) IT WILL PROCEED SOLELY ON THE GOVERNMENT'S INFORMATION?
 - e) IF YOU DO NOT GIVE UP THAT RIGHT, THIS MATTER MAY NOT
PROCEED AGAINST YOU UNLESS A GRAND JURY OF THIS
DISTRICT FINDS, BY RETURN OF AN INDICTMENT, THAT THERE
IS PROBABLE CAUSE TO BELIEVE THAT THE OFFENSE[S] TO BE
CHARGED IN THE PROPOSED INFORMATION HAS[HAVE] BEEN
COMMITTED BY YOU?
 - f) A GRAND JURY IS COMPOSED OF AT LEAST 16, AND NOT MORE
THAN 23, PERSONS, SELECTED AT RANDOM FROM AMONG THE
VOTERS OF THIS DISTRICT?
 - g) AT LEAST 12 GRAND JURORS MUST FIND PROBABLE CAUSE TO
BELIEVE THAT THE OFFENSE[S] CHARGED IN THE PROPOSED
INFORMATION WAS[WERE] COMMITTED BY YOU BEFORE YOU COULD
BE INDICTED FOR THE OFFENSE[S]? AND,
 - h) A GRAND JURY MIGHT NOT INDICT YOU FOR THAT OFFENSE [ANY
OF THOSE OFFENSES]?
16. HAVE YOU DISCUSSED YOUR WAIVER OF INDICTMENT WITH YOUR
COUNSEL?
17. HAS HE/SHE ADVISED YOU IN THAT RESPECT?

18. ARE YOU SATISFIED WITH HIS/HER ADVICE IN THAT REGARD?
19. DO YOU UNDERSTAND THAT:
- a) YOU HAVE AN ABSOLUTE RIGHT TO AN INDICTMENT BY A GRAND JURY IN RESPECT TO THE[SE] CHARGE[S]?
 - b) IF I ACCEPT YOUR WAIVER OF THE RIGHT OF INDICTMENT, YOU WILL NOT BE ABLE TO LATER CHANGE YOUR MIND AND CLAIM A RIGHT TO INDICTMENT BY A GRAND JURY?
20. HAS ANYONE MADE ANY THREATS TO YOU TO INDUCE YOU TO WAIVE YOUR RIGHT TO INDICTMENT BY A GRAND JURY?
21. HAVE ANY PROMISES BEEN MADE TO YOU FOR THAT PURPOSE?
22. [**Counsel**] ARE YOU AWARE OF ANY REASON WHY THIS DEFENDANT SHOULD NOT BE PERMITTED TO WAIVE INDICTMENT?
23. THE DEFENDANT WILL SIGN THE PRESCRIBED WAIVER OF INDICTMENT BY THE GRAND JURY.

FINDING: THE COURT FINDS THAT THIS DEFENDANT HAS KNOWINGLY AND VOLUNTARILY WAIVED HIS/HER RIGHT TO REQUIRE THAT THIS MATTER NOT PROCEED EXCEPT UPON RETURN OF AN INDICTMENT BY A GRAND JURY OF THIS DISTRICT. THE COURT ORDERS THAT THE DEFENDANT'S WAIVER OF THE RIGHT OF INDICTMENT BE, AND IT IS HEREBY, ACCEPTED.

THE INFORMATION AGAINST THIS DEFENDANT WILL BE FILED

AT THIS TIME.

24. **[Inquire of Counsel]** DO I UNDERSTAND CORRECTLY THAT THIS DEFENDANT IS NOW READY FOR ARRAIGNMENT ON THE INFORMATION?
25. DO I UNDERSTAND CORRECTLY THAT HE/SHE INTENDS, ON ARRAIGNMENT, TO TENDER A PLEA OF "GUILTY" TO THE CHARGED OFFENSE[S]?
26. DO YOU CONCUR IN HIS/HER DECISION TO DO SO?
27. **[Inquire of Defendant]** IS IT YOUR INTENTION TO TENDER A PLEA OF "GUILTY" ON ARRAIGNMENT ON THE PRESENT INFORMATION?
28. ARE YOU NOW PREPARED TO BE ARRAIGNED ON THE INFORMATION?
29. THE CLERK MAY PROCEED.
- [Clerk obtains tender of a guilty plea.]**
30. **[To Defendant]** HAVE YOU PLEADED GUILTY TO THE CHARGES CONTAINED [IN COUNTS ____ AND ____] OF THIS INFORMATION BECAUSE YOU ARE GUILTY AS CHARGED THEREIN AND FOR NO OTHER REASON?

31. **[To Attorney]** ARE YOU SATISFIED THAT THIS DEFENDANT HAS
TENDERED THIS/THESE PLEA[S] OF GUILTY BECAUSE HE/SHE IS
ACTUALLY GUILTY AS CHARGED AND FOR NO OTHER REASON?
32. HAVE YOU HAD AN ADEQUATE OPPORTUNITY TO DISCUSS THE
CHARGE[S] SET OUT IN THE INFORMATION WITH YOUR ATTORNEY?
33. HAVE YOU IN FACT DONE SO?
34. HAS YOUR ATTORNEY EXPLAINED TO YOU:
(a) THE ELEMENTS AND NATURE OF THE OFFENSES CHARGED?
(b) THE PENALTIES WHICH MAY BE IMPOSED ON CONVICTION
FOR THOSE OFFENSES?
35. ARE YOU SATISFIED WITH YOUR ATTORNEY'S ADVICE AND
REPRESENTATION IN THAT RESPECT?
36. DO YOU UNDERSTAND THAT YOU HAVE THE RIGHT TO CONTINUE TO
PLEAD NOT GUILTY TO THESE CHARGES?
37. DO YOU UNDERSTAND THAT YOU HAVE A RIGHT TO A TRIAL BY JURY
ON THESE CHARGES?
38. DO YOU UNDERSTAND THAT YOU HAVE A RIGHT TO THE ASSISTANCE OF
COUNSEL AT ANY SUCH TRIAL?

39. AND DO YOU UNDERSTAND THAT IF YOU DO NOT HAVE THE FINANCIAL MEANS WITH WHICH TO OBTAIN THE ASSISTANCE OF COUNSEL, THE COURT WILL APPOINT COUNSEL TO REPRESENT YOU AT SUCH A TRIAL AT GOVERNMENT EXPENSE?
40. AND DO YOU UNDERSTAND THAT AT SUCH A TRIAL THE GOVERNMENT WOULD BE REQUIRED TO PROVE YOU GUILTY BY COMPETENT EVIDENCE AND BEYOND A REASONABLE DOUBT BEFORE YOU COULD BE FOUND GUILTY OF ANY CHARGE[S] MADE IN THIS INFORMATION?
41. AND DO YOU UNDERSTAND THAT AT SUCH A TRIAL YOU WOULD NOT HAVE TO PROVE THAT YOUR ARE NOT GUILTY OF THE CHARGED OFFENSES?
42. DO YOU UNDERSTAND THAT IN THE COURSE OF ANY SUCH TRIAL THE WITNESSES FOR THE GOVERNMENT WOULD HAVE TO COME INTO OPEN COURT AND TESTIFY IN YOUR PRESENCE AND THAT OF YOUR COUNSEL?

43. AND DO YOU UNDERSTAND THAT YOUR ATTORNEY WOULD BE PROVIDED WITH AN OPPORTUNITY TO:
- (a) CROSS-EXAMINE ANY AND ALL WITNESSES OFFERED AGAINST YOU BY THE GOVERNMENT;
 - (b) OBJECT TO THE ADMISSION IN EVIDENCE OF ANY AND ALL EVIDENCE OFFERED AGAINST YOU BY THE GOVERNMENT; AND
 - (c) OFFER EVIDENCE IN YOUR BEHALF?
44. DO YOU UNDERSTAND ALSO:
- (a) THAT YOU WOULD HAVE THE RIGHT TO TESTIFY IF YOU CHOSE TO DO SO AT TRIAL;
 - (b) THAT YOU WOULD ALSO HAVE THE RIGHT NOT TO TESTIFY, IF YOU DID NOT WISH TO; AND
 - (c) THAT YOU COULD NOT BE REQUIRED TO TESTIFY AT SUCH A TRIAL IF YOU DID NOT WISH TO?
45. AND DO YOU UNDERSTAND THAT IF YOU ELECTED NOT TO TESTIFY AT SUCH A TRIAL, THE COURT WOULD INSTRUCT THE JURY THAT NO INFERENCE OR SUGGESTION OF GUILT COULD BE DRAWN BY THE JURY FROM THE FACT THAT YOU DID NOT TESTIFY?
46. DO YOU UNDERSTAND THAT IF THE COURT ACCEPTS THE PLEA[S] YOU HAVE TENDERED, YOU WILL HAVE GIVEN UP YOUR RIGHT TO A TRIAL AND TO THE OTHER RIGHTS I HAVE JUST DESCRIBED TO YOU?
47. AND DO YOU UNDERSTAND THAT IF THE COURT ACCEPTS THIS/THESE PLEA[S] OF GUILTY, THERE WILL BE NO TRIAL OF ANY KIND ON THIS INFORMATION?

48. AND DO YOU UNDERSTAND THAT THE COURT WILL ULTIMATELY ENTER A JUDGMENT OF GUILTY AGAINST YOU ON THE CHARGES MADE IN THE INFORMATION AND WILL SENTENCE YOU ON THE INFORMATION ON THE BASIS OF YOUR GUILTY PLEA?
49. AND DO YOU UNDERSTAND THAT IN THE EVENT ALL OF THAT OCCURS, YOU WILL HAVE NO EFFECTIVE RIGHT OF APPEAL FROM YOUR CONVICTION OF THE CHARGED OFFENSES IN THESE PROCEEDINGS?
50. DO YOU UNDERSTAND THAT BY TENDERING A PLEA OF GUILTY YOU ALSO GIVE UP YOUR RIGHT NOT TO INCRIMINATE YOURSELF?
51. DO YOU UNDERSTAND THAT I WILL BE REQUIRED TO ASK YOU QUESTIONS IN THE FURTHER COURSE OF THIS INQUIRY ABOUT YOUR CONDUCT WHICH GAVE RISE TO THESE CHARGES AND THAT YOU WILL BE REQUIRED TO ANSWER THESE QUESTIONS TRUTHFULLY?
52. DO YOU UNDERSTAND THAT I WILL TAKE ALL ANSWERS WHICH YOU GIVE TO SUCH QUESTIONS AS TRUE AND ACT ACCORDINGLY?
53. IN VIEW OF ALL THAT I HAVE JUST EXPLAINED TO YOU, DO YOU STILL CHOSE TO PLEAD GUILTY TO THE CHARGES CONTAINED IN [COUNTS ____ AND ____] OF THE INFORMATION?

54. **[To Counsel]** DO YOU RECOMMEND THAT THE COURT ACCEPT THIS/THESE PLEA[S]?
55. HAVE YOU RECEIVED A COPY OF THE INFORMATION?
56. **[To Attorney]** ARE YOU SATISFIED THAT THE DEFENDANT UNDERSTANDS THE CHARGES CONTAINED IN [COUNTS ____ AND ____] OF THE INFORMATION TO EACH OF WHICH HE/SHE HAS TENDERED A PLEA OF GUILTY?
57. AND DO YOU UNDERSTAND THAT BY PLEADING GUILTY TO THESE CRIMES YOU COULD BE SUBJECTED TO PUNISHMENT TO CONSIST OF TOTAL FINES OF UP TO \$_____ AND IMPRISONMENT FOR A TOTAL OF _____ YEARS?
58. AND DO YOU UNDERSTAND THAT:
- (a) YOU MAY BE REQUIRED BY COURT ORDER TO MAKE FULL RESTITUTION OF ANY PECUNIARY INJURY TO ANY VICTIM OF THE OFFENSE WITH WHICH YOU ARE CHARGED?
 - (b) YOU MAY BE SUBJECT TO PAYMENT OF A MANDATORY ASSESSMENT OF \$_____ ON EACH OF THESE COUNTS ON WHICH YOU ARE CONVICTED, FOR A TOTAL OF \$_____?
 - ** (c) YOU WILL BE SUBJECT, IF INCARCERATED, TO A TERM OF SUPERVISED RELEASE, TO COMMENCE UPON YOUR RELEASE FROM INCARCERATION, WHICH MAY BE FOR AS MUCH AS _____ YEARS?
59. **[To the U.S. Attorney]** WILL THE ASSISTANT UNITED STATES ATTORNEY ADVISE THE COURT BY WAY OF REPRESENTATION AS TO THE EVIDENCE WHICH THE GOVERNMENT

IS IN A POSITION TO PRODUCE IN THE EVENT THIS MATTER
SHOULD GO TO TRIAL?

NOTE: Listen to [or review written] entire recital
of evidence. Or, in the alternative, admit
written Prosecution Version and do inquiry.
[If written, do detailed inquiry to establish
Defendant's agreement to accuracy of the
contents of the Exhibit -- Admit the exhibit
into the record.]

60. **[To Defendant]** NOW YOU HAVE HEARD, HAVE YOU NOT, THE
ASSISTANT UNITED STATES ATTORNEY REPRESENT THE EVIDENCE
WHICH IT WOULD PROPOSE TO PRODUCE IN THE EVENT THAT THIS
MATTER WERE TO GO TO TRIAL?

61. I ASK YOU NOW, IS THERE ANY RESPECT IN WHICH YOU DISAGREE
WITH ANY OF THE FACTUAL ASSERTIONS CONTAINED IN THE
ASSISTANT UNITED STATES ATTORNEY'S DESCRIPTION OF THE
EVIDENCE WHICH THE GOVERNMENT WOULD PROPOSE TO PRODUCE AT
TRIAL?

62. IS THERE ANY RESPECT IN WHICH YOU BELIEVE THE FACTUAL
ASSERTIONS MADE BY THE UNITED STATES ATTORNEY TO BE IN
ERROR?

63. IS THE INFORMATION CONTAINED THEREIN TRUE TO YOUR OWN
PERSONAL KNOWLEDGE?

**[If not satisfied with the status of the
factual basis of the plea -- inquire of the
Defendant as to the essential details of the
crimes to which a plea is tendered.]**

64. **[To Attorney]** MR./MS. _____, ARE YOU SATISFIED FROM YOUR INVESTIGATION OF THIS CASE IN THE COURSE OF YOUR REPRESENTATION OF THIS DEFENDANT THAT THE GOVERNMENT CAN IN FACT PRODUCE THE EVIDENCE JUST INDICATED BY THE UNITED STATES ATTORNEY?

ARE YOU SATISFIED THAT THE ADMISSIBLE PORTION OF THAT EVIDENCE WOULD BE SUFFICIENT TO PERMIT A PROPERLY INSTRUCTED JURY TO DETERMINE BEYOND A REASONABLE DOUBT THAT THE DEFENDANT IS GUILTY OF [EACH OF] THE CRIME[S] CHARGED, TO WHICH HE/SHE HAS PLEADED GUILTY?

65. THE COURT FINDS THAT THERE IS A FACTUAL BASIS FOR THE GUILTY PLEAS TO THE CRIMES CHARGED IN EACH OF COUNTS _____ AND _____ OF THE INDICTMENT/INFORMATION.

66. HAS ANYONE THREATENED YOU OR HAS ANYONE ATTEMPTED TO FORCE YOU OR TO INDUCE YOU IN ANY WAY TO PLEAD GUILTY?

67. THE COURT HAS BEFORE IT **[the written Plea Agreement].**
[Do inquiry regarding Defendant's knowledge, understanding, and signing of plea agreement.]

68. DO YOU UNDERSTAND THAT THE FINAL AND EXCLUSIVE AUTHORITY TO DETERMINE WHAT WILL BE AN APPROPRIATE SENTENCE IN THIS CASE RESTS WITH ME AS THE JUDGE IN THIS COURT?

69. AND DO YOU UNDERSTAND THAT I HAVE NOT YET MADE ANY DETERMINATION WHATEVER AS TO WHAT WILL BE AN APPROPRIATE SENTENCE IN THIS CASE?

**** [If a Guidelines Case, insert the following.] ****

Inform the defendant that, under the Sentencing Reform Act of 1984, the United States Sentencing Commission has issued guidelines for judges to follow in determining the sentence in a criminal case.

70. DO YOU UNDERSTAND THAT THE DETERMINATION OF THE APPROPRIATE SENTENCE IN THIS CASE WILL BE GOVERNED BY THE APPLICATION OF THE UNITED STATES SENTENCING COMMISSION GUIDELINES?

71. HAVE YOU AND YOUR ATTORNEY CONFERRED ABOUT HOW THE SENTENCING COMMISSION GUIDELINES MAY APPLY TO YOUR CASE?

72. HAS YOUR ATTORNEY EXPLAINED TO YOU THE LIKELY APPLICATION OF THE SENTENCING GUIDELINES TO THIS CASE FOR PURPOSES OF DETERMINING THE APPROPRIATE SENTENCE?

73. DID YOU UNDERSTAND HIS EXPLANATION IN THAT RESPECT?

74. DO YOU UNDERSTAND THAT THE COURT WILL NOT BE ABLE TO DETERMINE THE GUIDELINE SENTENCE FOR YOUR CASE UNTIL AFTER THE PRESENTENCE REPORT HAS BEEN COMPLETED AND YOU AND THE

GOVERNMENT HAVE HAD AN OPPORTUNITY TO CHALLENGE THE FACTS AS REPORTED THEREIN BY THE PROBATION OFFICER?

75. DO YOU ALSO UNDERSTAND THAT, AFTER IT HAS BEEN DETERMINED WHAT GUIDELINE APPLIES TO A CASE, THE JUDGE HAS THE AUTHORITY IN SOME CIRCUMSTANCES TO IMPOSE A SENTENCE THAT IS EITHER MORE SEVERE OR LESS SEVERE THAN THE SENTENCE CALLED FOR BY THE APPLICABLE GUIDELINE?
76. DO YOU ALSO UNDERSTAND THAT BOTH YOU AND THE GOVERNMENT WILL HAVE THE RIGHT TO APPEAL ANY SENTENCE THAT I IMPOSE?
77. DO YOU ALSO UNDERSTAND THAT YOU WILL BE REQUIRED TO ACTUALLY SERVE IN A PENAL INSTITUTION ALL OF ANY INCARCERATION TERM THE COURT IMPOSES EXCEPT FOR GOOD-TIME DEDUCTIONS?
78. DO YOU UNDERSTAND THAT YOU WILL NOT BE PERMITTED TO SERVE ANY PART OF ANY TERM OF INCARCERATION IMPOSED HEREIN ON PAROLE?
79. DO YOU UNDERSTAND THAT IF THE SENTENCE IS MORE SEVERE THAN YOU EXPECT OR CARE FOR, YOU WILL STILL BE BOUND BY YOUR PLEA AND WILL HAVE NO RIGHT TO WITHDRAW IT?

80. DO YOU UNDERSTAND THAT WHILE I WILL CERTAINLY ENTERTAIN AND CONSIDER ANY RECOMMENDATION IN RESPECT TO SENTENCE MADE BY EITHER YOUR COUNSEL OR THE GOVERNMENT'S COUNSEL, SUCH RECOMMENDATIONS WILL NOT BE BINDING ON THE COURT IN RESPECT TO THE SENTENCE TO BE IMPOSED?

**** [All cases] ****

81. HAS ANYONE MADE ANY PROMISE TO YOU IN AN EFFORT TO INDUCE YOU TO PLEAD GUILTY?

82. HAS ANYONE MADE ANY PROMISE TO YOU AS TO WHAT I WILL IMPOSE FOR A SENTENCE?

83. NOW I ASK YOU FINALLY, DO YOU STILL WISH TO TENDER A PLEA OF GUILTY TO THE CHARGES CONTAINED IN [COUNTS ____ AND ____] OF THE INFORMATION?

84. **[To Attorney]** DO YOU, AS COUNSEL FOR THE DEFENDANT, STILL RECOMMEND THAT THE COURT ACCEPT THE PLEA OF GUILTY TO THE CHARGES CONTAINED IN [COUNTS ____ AND ____] OF THE INFORMATION?

85. MR./MS. (Defendant) , SINCE YOU ACKNOWLEDGE
THAT YOU ARE IN FACT GUILTY AS CHARGED IN [COUNTS AND
 OF] THE INFORMATION; AND

* SINCE I FIND THAT YOU KNOW OF YOUR RIGHT TO A TRIAL
AND THE RIGHTS ASSOCIATED WITH THE RIGHT TO A TRIAL; AND

* SINCE I FURTHER FIND THAT YOU KNOW THE MAXIMUM POSSIBLE
PUNISHMENT THAT MAY BE IMPOSED UPON YOU SHOULD YOU BE
CONVICTED OF THE CHARGED OFFENSE[S]; AND

* SINCE I FIND THAT YOU HAVE NOT BEEN COERCED AND THAT
YOU HAVE VOLUNTARILY AND KNOWINGLY TENDERED A PLEA OF GUILTY
TO COUNTS AND OF THIS INFORMATION,

* THE COURT HEREBY ACCEPTS YOUR GUILTY PLEA[S] AS
TENDERED.

**[The Court will reserve decision on the
acceptance of the plea agreement until
it has reviewed the Presentence
Investigation Report.]**

86. THE COURT HEREBY ORDERS THE PREPARATION OF THE CUSTOMARY
PRESENTENCE INVESTIGATION REPORT.

**[Clerk to give a copy of the Court's Standing
Written Order and Procedure on Guideline
Sentencing Cases -- Ask defense counsel to
act without unnecessary delay.]**

87. RESOLVE DETENTION STATUS AND TAKE APPROPRIATE ACTION.